

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1566 OF 2022

Yasmin Mohammad Hussain Hingora

..Petitioner.

Versus

Mumbai Municipal Corporation & Anr.

..Respondents

Mr. A. V. Anturkar, Sr. Advocate a/w. Mr. Sugandh Deshmukh for
Petitioner.

Ms. Oorja Dhond i/b. Mr. S. K. Sonawane, A.G.P. for Respondents-
MCGM.

**CORAM : R. D. DHANUKA AND
M. G. SEWLIKAR, JJ.**

DATE : 18th JULY 2022.

PC :

1. This matter was on board on 05/07/2022, when Mr. Anturkar, learned Senior counsel for the Petitioner, on instruction, invited our attention to the averments made in the Affidavit in Rejoinder stating that suitable temporary alternate accommodation is available with the Municipal Corporation.

2. Learned counsel for the Municipal Corporation tenders a copy of the letter issued by Assistant Commissioner (Markets) dated 15/07/2022 stating that the plot indicated by the petitioner

in the affidavit in rejoinder is not available. It is further stated that the space admeasuring 4100 Sq.ft. Area at one corner of Chhatrapati Shivaji Maharaj Market is already allotted to New Dadar fish vendors.

3. Learned Senior counsel for the petitioner states that, there are other alternate plots available in the city of Mumbai itself out of which one such plot can be allotted to the petitioner as and by way of temporary alternate accommodation. He is willing to identify those plots if one of the officers is deputed by the Municipal Corporation in this regard. The statement is accepted.

4. The Municipal Corporation is accordingly directed to depute one of the senior officers from the market department on 20th July, 2022 at 11.00a.m. to meet at the convenient place as may be decided by the petitioner and the said officer to identify alternate land as may be suggested by the petitioner. Upon such identification, the Municipal Corporation shall file an affidavit within three days from the date of such identification and convey whether such plot is available or not as and by way of temporary

alternate accommodation.

5. Place this matter under the caption “Direction” on supplementary board on 28/07/2022.

(M. G. SEWLIKAR, J.)

(R. D. DHANUKA, J.)